

**REMARKS**

This responds to the Office Action mailed on March 18, 2008. Claims 7, 9, 12, 17, 21-22 and 24-26 are amended, no claims are canceled, and claims 27-31 are added. Thus, claims 1-31 are now pending in this application.

**Allowable Subject Matter**

**Claims 7, 9, 12, 17 and 22-23 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.**

Applicant thanks the Examiner for the indication of allowable subject matter. Claims 7, 9, 12, 17 and 22 have been amended into independent form. Claims 24-26 have been amended to depend on claim 22. Applicant respectfully requests consideration and allowance of independent claims 7, 9, 12, 17 and 22 and dependent claims 23-26.

**§103 Rejection of the Claims**

**Claims 21, 24-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bohm et al. (US 5,697,069) in view of Gomez (US 6,798,304).** Applicant respectfully traverses. The Office states that Bohm et al. selectively incorporate a frequency shift canceling component. Bohm et al. use separate circuits (a receive diplexer 1 and a transmit diplexer 2). Bohm et al. do not use the same resonant circuit to receive and transmit, and thus do not selectively incorporate a frequency shift canceling component in the resonant circuit to switch from a transmit mode to a receive mode or to switch from the receive mode to the transmit mode. As such, Applicant respectfully asserts that the proposed combination of references does not provide a method for switching modes that includes selectively incorporating a frequency shift canceling component to compensate for a resonant frequency shift in the resonant circuit for one of switching from a transmit mode to a receive mode or switching from the receive mode to the transmit mode, as recited in claim 21. Further, Applicant respectfully asserts that the combination with Gomez is improper. Gomez does not compensate for frequency shift between transmit and receive modes. Gomez refers to an oscillator. The oscillator is not used in transmit

and receive modes. Applicant respectfully requests withdrawal of the rejection, and reconsideration and allowance of claim 21.

**Claims 1-6, 8, and 10-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bohm et al. in view of Yokoyama et al. (US 4,641,366) and further in view of Dinn et al. (US 2004/0085145).** Applicant respectfully traverses.

The Office admits that Bohm et al. use two resonant circuits (referring to reference numbers 3 & 4), but then states that Bohm et al. include means to selectively drive the resonant circuit during a transmit mode, and means to selectively receive an induced signal in the resonant circuit during a receive mode. Applicant respectfully traverses. Bohm et al. do not use the same resonant circuit to transmit and receive.

Thus, with respect to claim 1, the proposed combination of references does not provide a communication system that comprises an antenna with a resonant circuit, means to selectively drive the resonant circuit during a transmit mode, and means to selectively receive an induced signal in the resonant circuit during a receive mode, as recited in the claim. Further, as the same resonant circuit is not used to transmit and receive, the proposed combination of references do not provide means to selectively include a frequency shift canceling component in the resonant circuit to provide a first resonance frequency in the resonant circuit in the transmit mode and a second resonance frequency in the resonant circuit in the receive mode such that the first resonance frequency and the second resonance frequency are approximately equal, as recited in claim 1. Claims 2-4 depend on claim 1 and are asserted to be in condition for allowance with claim 1.

Further, with respect to claim 5, the proposed combination of references does not provide a communication system that comprises an antenna with a resonant circuit, an amplifier to receive a first communication signal induced in the inductive coil of the resonant circuit, a driver to energize the inductive coil of the resonant circuit with a second communication signal, a frequency shift canceling component with a predetermined value to be selectively included in the resonant circuit of the antenna element, and a transmit-receive (TR) switch responsive to a control signal to include the frequency shift canceling component in the resonant circuit when switching to a first one of the transmit and receive modes, and to exclude the

frequency shift canceling component in the resonant circuit when switching to a second one of the transmit and receive modes, as recited in the claim. Claims 6, 8 and 10-11 depend on claim 5 and are asserted to be in condition for allowance with claim 5.

Applicant respectfully requests withdrawal of the rejection, and reconsideration and allowance of claims 1-6, 8, and 10-11.

**Claims 14-16 and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Julstrom et al. (US 7,099,486), in view of Bohm et al., and further in view of Dinn et al.** Applicant respectfully traverses. The Office admits that Bohm et al. use two resonant circuits (referring to reference numbers 3 & 4). Bohm et al. do not use the same resonant circuit to transmit and receive. Thus, with respect to claim 14, the proposed combination of references does not provide a hearing aid with a transmit-receive (TR) switch responsive to a control signal to include the frequency shift canceling component in the resonant circuit when switching to a first one of the transmit and receive modes, and to exclude the frequency shift canceling component in the resonant circuit when switching to a second one of the transmit and receive modes, as recited in the claim. Further, Applicant respectfully submits that the hearing aid of Julstrom et al. does not transmit (see Rx in hearing aid illustrated in FIGS 2-8). Therefore, one would not modify the hearing aid of Julstrom et al. to provide the hearing aid as claimed in claim 14. Claims 15-16 and 18-20 depend on claim 14, and are asserted to be in condition for allowance with claim 14. Applicant respectfully requests withdrawal of the rejection, and reconsideration and allowance of claims 14-16 and 18-20.

**Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bohm et al. in view of Yokoyama et al., and further in view of Dinn et al. as applied to claim 5 above, and further in view of Julstrom et al.** Applicant respectfully traverses. Claim 13 depends on claim 5, and is asserted to be allowable with claim 5.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6960 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6960

Date 7-18-08

By M.L.B.  
Marvin L. Beekman  
Reg. No. 38,377

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 18 day of July, 2008.

CANDIS BUENDING

Name

Signature

Candis Buending